

**DISTRICT COURT OF THE UNITED STATES
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:12-cv-744-RJC
(3:05-cr-28-RJC-CH-1)**


ARCHAVIS BRIANN MOORE,)
)
 Petitioner,)
)
 vs.)
)
 UNITED STATES OF AMERICA,)
)
 Respondent.)
 _____)

ORDER

UPON MOTION of the Government, (Doc. No. 22), to hold Petitioner's motion to vacate brought under 28 U.S.C. § 2255 in abeyance pending resolution of United States v. Wheeler, Fourth Circuit Case No. 16-6073. Petitioner opposes the motion to stay.

IT IS HEREBY ORDERED that the Motion to Stay, (Doc. No. 22), is **GRANTED** for the reasons stated in the Government's memorandum. The Government shall file its response within 45 days of the date the decision in United States v. Wheeler, Fourth Circuit Case No. 16-6073, is issued. Furthermore, Petitioner's pending Motion to Lift Stay, (Doc. No. 18), is **DENIED**.

Signed: January 19, 2018


Robert J. Conrad, Jr.
United States District Judge

